

TSAWWASSEN TREATY INFORMATION ITEM – May 14, 2007

INTRODUCTION

The purpose of this Information Item is to provide the public, and Council, with information on the contents of the recently initialed Tsawwassen Treaty. In the Information Item, at the beginning of each Regular Council Meeting, we will look at the contents in small, comprehensible bites so that the public may better understand what the Treaty contains.

The Items will then be posted on the Delta website to make them readily available to the public.

Today's Information Item addresses the Ratification and Implementation procedures for the Treaty.

Ratification

Chapter 24 - Ratification of the Tsawwassen Final Agreement describes the ratification process for the Treaty. For the initialed Treaty to come into effect, ratification is required from Tsawwassen First Nation (TFN), the Province of BC (BC) and the Government of Canada (Canada).

Ratification of the Treaty by TFN requires that a majority of the eligible TFN voters vote in favour of the Treaty. If an eligible voter does not cast a ballot, this vote will be counted as not in favour of the Treaty. For example, if 80% of eligible voters participate in the ratification vote, approximately 63% of those participating will have to vote in favour of the Treaty to meet the ratification requirement. TFN's ratification vote is scheduled for July 25, 2007.

Ratification of the Treaty by TFN also requires a successful ratification of the Tsawwassen Constitution by a majority of eligible TFN voters.

Individuals eligible to vote are defined as TFN members and at least 18 years old. Individuals not currently TFN members may be eligible to vote if they meet the eligibility criteria described in *Chapter 21 Eligibility and Enrolment* of the Tsawwassen Final Agreement. Eligible individuals include individuals who are members or entitled to be members of the TFN under the *Indian Act*, individuals of TFN ancestry, individuals adopted by eligible individuals, and descendents of eligible individuals.

If the Treaty is ratified by TFN, then BC will go through its ratification process. This involves signing of the Treaty by a Minister authorized by the Provincial Cabinet to do so and the coming into force of Provincial Settlement Legislation.

If BC ratifies the Treaty, the next step in the ratification process is ratification by Canada. This requires signing of the Treaty by a Minister authorized by the Federal Cabinet to do so and the coming into force of Federal settlement Legislation.

After ratification, the treaty moves into the final stage which is Implementation.

Implementation

After ratification all three parties will agree upon a date that the Treaty will come into effect, known as the Effective Date.

An Implementation Plan was initialed by BC, Canada and TFN at the same time as the Treaty. The 98-page Implementation Plan sets out the obligations and activities to be carried out under the Treaty, the responsible Parties and the timing of the implementation activity. Timing of the implementation activity is specified to be before the Effective Date, on the Effective Date, and/or as required after the Effective Date. Some activities have specific timelines noted in the Implementation Plan such as the 50 years allotted for the addition of Specified Lands to Tsawwassen Lands. The Implementation Plan can be found at:

<http://www.gov.bc.ca/arr/firstnation/tsawwassen/default.html>

An Implementation Committee will be established with a member from BC, Canada and TFN that will facilitate Implementation of the Treaty and the carrying out of the Implementation Plan.

Conclusion

That is an overview of the Ratification and Implementation procedures for the Tsawwassen Treaty. At the next Regular Meeting of Council, the Chief Federal and Provincial Negotiators will be in attendance.